

STATE OF CALIFORNIA  
STATE WATER RESOURCES CONTROL BOARD  
**DIVISION OF WATER RIGHTS**

**ORDER**

APPLICATION 24468

PERMIT 16914

LICENSE \_\_\_\_\_

**ORDER DIRECTING ISSUANCE OF SEPARATE PERMITS,  
REVOCATION OF ORIGINAL PERMIT, AND  
APPROVE A NEW DEVELOPMENT SCHEDULE**

**WHEREAS:**

1. Permit 16914 was issued to Peter Haywood on August 11, 1977 pursuant to Application 24468.
2. Permit 16914 was subsequently assigned to Peter C. Haywood, Margaret Salenger Haywood, Douglas W. Shorenstein and Lydia P. Shorenstein.
3. A petition for an extension of time within which to develop the project and apply the water to the proposed used has been filed with the State Water Resources Control Board (SWRCB).
4. The permittee has proceeded with diligence and good cause has been shown for said extension of time.
5. A request for division of the permit has also been filed with the SWRCB.
6. The SWRCB has determined that such division of permit and issuance of separate permits does not constitute the initiation of a new right nor operate to the injury of any other legal user of water.

**NOW, THEREFORE, IT IS ORDERED THAT:**

1. Permit 16914 be replaced by Permit 16914A issued to Douglas W. Shorenstein and Lydia P. Shorenstein and by Permit 16914B issued to Peter C. Haywood and Margaret Salenger Haywood.
2. Superseded Permit 16914 is hereby revoked upon issuance of Permits 16914A and 16914B.
3. Separate permits be issued as follows:
  - A. Permit 16914A (Application 24468A)
    1. Owner: Douglas W. Shorenstein and Lydia P. Shorenstein  
555 California Street, 49th Floor  
San Francisco, CA 94104
    2. Source: Unnamed Stream tributary to Nathanson Creek  
thence Schell Creek thence Schell Slough  
thence Steamboat Slough thence Third Napa  
Slough thence Second Napa Slough thence Sonoma  
Creek in Sonoma County
    3. Use: Heat Control, Frost Protection, Stockwatering,  
and Irrigation
    4. Amount: 7 acre-feet, Reservoir #3
    5. Season: October 31 to March 1

6. Point of  
Diversion:

Reservoir #3 - South 2,000 feet and West 1,500 feet from NE corner of Section 6, T5N, R5W, MDB&M, being within SW $\frac{1}{4}$  of NE $\frac{1}{4}$  of said Section 6: also described as California Coordinate

7. Place of Use:

System, Zone 2, N 234,000 and E 1,871,200. Reservoir #3 within the SW $\frac{1}{4}$  of NE $\frac{1}{4}$  of Section 6, T5N, R5W, MDB&M. 37 acres described as follows: 15 acres within the NW $\frac{1}{4}$  of SE $\frac{1}{4}$  of Section 6, T5N, R5W, MDB&M, and 22 acres within the NE $\frac{1}{4}$  of SE $\frac{1}{4}$  of Section 6, T5N, R5W, MDB&M.

B. Permit 16914B

(Application 24468B)

1. Owner:

Peter C. Haywood and  
Margaret Salenger Haywood  
18000 Gehriche Road  
Sonoma, CA 95476

2. Source:

Two Unnamed Streams tributary to Nathanson Creek thence Schell Creek thence Schell Slough thence Steamboat Slough thence Third Napa Slough thence Second Napa Slough thence Sonoma Creek in Sonoma County

3. Use:

Heat Control, Frost Protection, Stockwatering, and Irrigation

4. Amount:

11 acre-feet - Reservoir #1  
6 acre-feet - Reservoir #2  
11 acre-feet - Reservoir #4

5. Season:

October 31 to March 1

6. Point of

Diversion:

Reservoir #1 -South 800 feet and East 600 feet from NW corner of Section 5, T5N, R5W, MDB&M, being within NW $\frac{1}{4}$  of NW $\frac{1}{4}$  of said Section 5: also described as California Coordinate System, Zone 2, N 235,400 and E 1,873,300.

Reservoir #2 -South 1,250 feet and West 1,350 feet from NE corner of Section 6, T5N, R5W, MDB&M, being within NW $\frac{1}{4}$  of NE $\frac{1}{4}$  of said Section 6: also described as California Coordinate System, Zone 2, N 235,150 and E 1,871,350.

Reservoir #4 -South 700 feet and East 75 feet from NW corner of Section 5, T5N, R5W, MDB&M, being within NW $\frac{1}{4}$  of NW $\frac{1}{4}$  of said Section 5: also described as California Coordinate System, Zone 2, N 235,600 and E 1,872,800.

7. Place of Use:

Reservoir #1 and #4 within the NW $\frac{1}{4}$  of NW $\frac{1}{4}$  of Section 5, T5N, R5W, MDB&M. Reservoir #2 within the NW $\frac{1}{4}$  of NE $\frac{1}{4}$  of Section 6, T5N, R5W, MDB&M.

63 acres described as follows:

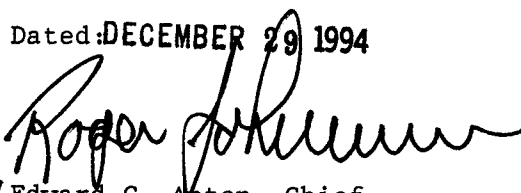
10 acres within the NE $\frac{1}{4}$  of NE $\frac{1}{4}$  of Section 6, T5N, R5W, MDB&M,  
18 acres within the SE $\frac{1}{4}$  of NE $\frac{1}{4}$  of Section 6, T5N, R5W, MDB&M.  
15 acres within the SW $\frac{1}{4}$  of NE $\frac{1}{4}$  of Section 6, T5N, R5W, MDB&M,  
20 acres within the SW $\frac{1}{4}$  of NW $\frac{1}{4}$  of Section 5, T5N, R5W, MDB&M.

4. That Permits 16914A and 16914B contain all other terms and conditions presently in Permit 16914 or updated versions in compliance with the SWRCB's policy.

5. A new development schedule is approved as follows:

CONSTRUCTION WORK SHALL BE COMPLETED ON OR BEFORE	December 31, 1996	(0000008)
COMPLETE APPLICATION OF THE WATER TO THE PROPOSED USE SHALL BE MADE ON OR BEFORE	December 31, 1998	(0000009)

Dated: DECEMBER 29 1994

  
for Edward C. Anton, Chief  
Division of Water Rights

STATE OF CALIFORNIA  
STATE WATER RESOURCES CONTROL BOARD  
DIVISION OF WATER RIGHTS

ORDER

APPLICATION 24468

PERMIT 16914

LICENSE \_\_\_\_\_

ORDER APPROVING A NEW DEVELOPMENT SCHEDULE AND AMENDING THE PERMIT

WHEREAS:

1. Permit 16914 was issued to Peter Haywood on August 11, 1977.
2. A petition for extension of time within which to develop the project and apply the water to the proposed use has been filed with the State Water Resources Control Board.
3. The permittee has proceeded with diligence and good cause has been shown for extension of time.
4. Permit Condition 10 pertaining to the continuing authority of the Board does not conform to the current, common law public trust doctrine as contained in Title 23, California Code of Regulations, Section 780(a).

NOW, THEREFORE, IT IS ORDERED THAT:

1. A new development schedule is approved as follows:

CONSTRUCTION WORK SHALL BE  
COMPLETED ON OR BEFORE

December 31, 1991

COMPLETE APPLICATION OF THE  
WATER TO THE PROPOSED USE  
SHALL BE MADE ON OR BEFORE

December 31, 1992

2. Paragraph 10 of the permit be amended to read:

Pursuant to California Water Code Sections 100 and 275, and the common law public trust doctrine, all rights and privileges under this permit and under any license issued pursuant thereto, including method of diversion, method of use, and quantity of water diverted, are subject to the continuing authority of the State Water Resources Control Board in accordance with law and in the interest of the public welfare to protect public trust uses and to prevent waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion of said water.

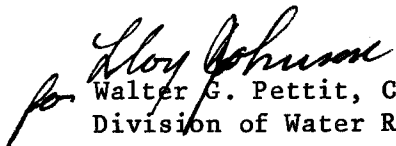
The continuing authority of the Board may be exercised by imposing specific requirements over and above those contained in this permit with a view to eliminating waste of water and to meeting the reasonable water requirements of permittee without unreasonable draft on the source. Permittee may be required to implement a water conservation plan, features of which may include but not necessarily be limited to: (1) reusing or reclaiming the water allocated; (2) using water reclaimed by another entity instead of all or part of the water allocated; (3) restricting diversions so as to eliminate agricultural tailwater or to reduce return flow; (4) suppressing evaporation losses from water surfaces; (5) controlling phreatophytic growth; and (6) installing, maintaining, and operating efficient water measuring devices to assure compliance with the quantity limitations of

this permit and to determine accurately water use as against reasonable water requirements for the authorized project. No action will be taken pursuant to this paragraph unless the Board determines, after notice to affected parties and opportunity for hearing, that such specific requirements are physically and financially feasible and are appropriate to the particular situation.

The continuing authority of the Board also may be exercised by imposing further limitations on the diversion and use of water by the permittee in order to protect public trust uses. No action will be taken pursuant to this paragraph unless the Board determines, after notice to affected parties and opportunity for hearing, that such action is consistent with California Constitution Article X, Section 2; is consistent with the public interest and is necessary to preserve or restore the uses protected by the public trust.

(000 0012)

Dated: MARCH 09 1988

  
Walter G. Pettit, Chief  
Division of Water Rights

STATE OF CALIFORNIA  
THE RESOURCES AGENCY  
STATE WATER RESOURCES CONTROL BOARD  
**DIVISION OF WATER RIGHTS**

**ORDER**

APPLICATION 24468

PERMIT 16914

LICENSE \_\_\_\_\_

ORDER APPROVING A NEW DEVELOPMENT SCHEDULE, CHANGE IN DISTRIBUTION OF  
STORAGE, POINT OF DIVERSION, DELETING DIRECT DIVERSION AND  
AMENDING THE PERMIT

**WHEREAS:**

1. A petition for extension of time within which to develop the project and apply the water to the proposed use and a petition to change distribution of storage and point of diversion have been filed with the State Water Resources Control Board.
2. The permittee has proceeded with diligence and good cause has been shown for extension of time and for the said change.
3. The Board has determined that the petitioned changes do not constitute the initiation of a new right nor operate to the injury of any other lawful user of water.
4. The project, as originally permitted, has changed to an extent that Nathanson Creek is no longer used as a source of direct diversion.

**NOW, THEREFORE, IT IS ORDERED THAT:**

1. A new development schedule is approved as follows:

CONSTRUCTION WORK SHALL BE  
COMPLETED ON OR BEFORE December 1, 1984

COMPLETE APPLICATION OF THE  
WATER TO THE PROPOSED USE  
SHALL BE MADE ON OR BEFORE December 1, 1986

2. Paragraph 2 of this permit regarding point of diversion is amended to read as follows:

- Storage Reservoir No. 1: South 800 feet and East 600 feet from NW corner of Section 5, T5N, R5W, MDB&M, being within NW $\frac{1}{4}$  of NW $\frac{1}{4}$  of said Section 5.
- Storage Reservoir No. 2: South 1,250 feet and West 1,350 feet from NE corner of Section 6, T5N, R5W, MDB&M, being within NW $\frac{1}{4}$  of NE $\frac{1}{4}$  of said Section 6.
- Storage Reservoir No. 3: South 2,000 feet and West 1,500 feet from NE corner of Section 6, T5N, R5W, MDB&M, being within SW $\frac{1}{4}$  of NE $\frac{1}{4}$  of said Section 6.
- Storage Reservoir No. 4: South 700 feet and East 75 feet from NW corner of Section 5, T5N, R5W, MDB&M, being within NW $\frac{1}{4}$  of NW $\frac{1}{4}$  of said Section 5.

3. Paragraph 5 of this permit regarding the quantity of water appropriated is amended as follows:

The water appropriated shall be limited to the quantity which can be beneficially used and shall not exceed a total of 35 acre-feet per annum to be collected from October 31 of each year to March 1 of the succeeding year as follows: (1) 11 acre-feet per annum in Reservoir No. 1, (2) 6 acre-feet per annum in Reservoir No. 2, (3) 7 acre-feet per annum in Reservoir No. 3, and (4) 11 acre-feet per annum in Reservoir No. 4.

4. Paragraph 10 of this permit is deleted. A new Paragraph 10 is added as follows:

Pursuant to California Water Code Sections 100 and 275, all rights and privilege under this permit and under any license issued pursuant thereto, including method of diversion, method of use, and quantity of water diverted, are subject to the continuing authority of the State Water Resources Control Board in accordance with law and in the interest of the public welfare to prevent waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion of said water.

The continuing authority of the Board may be exercised by imposing specific requirements over and above those contained in this permit with a view to minimizing waste of water and to meeting the reasonable water requirements of permittee without unreasonable draft on the source. Permittee may be required to implement such programs as (1) reusing or reclaiming the water allocated; (2) using water reclaimed by another entity instead of all or part of the water allocated; (3) restricting diversions so as to eliminate agricultural tailwater or to reduce return flow; (4) suppressing evaporation losses from water surfaces; (5) controlling phreatophytic growth; and (6) installing, maintaining, and operating efficient water measuring devices to assure compliance with the quantity limitations of this permit and to determine accurately water use as against reasonable water requirements for the authorized project. No action will be taken pursuant to this paragraph unless the Board determines, after notice to affected parties and opportunity for hearing, that such specific requirements are physically and financially feasible and are appropriate to the particular situation.

5. Paragraphs 15, 16, and 17 of this permit are deleted.

Dated: DECEMBER 7 1983

*Raymond Walsh*

Raymond Walsh, Chief  
Division of Water Rights

STATE OF CALIFORNIA  
STATE WATER RESOURCES CONTROL BOARD  
DIVISION OF WATER RIGHTS

PERMIT FOR DIVERSION AND USE OF WATER

PERMIT 16914

Application 24468 of Peter Haywood  
408-B Tamal Plaza, Corte Madera, California 94925

filed on September 24, 1973, has been approved by the State Water Resources Control Board SUBJECT TO VESTED RIGHTS and to the limitations and conditions of this Permit.

Permittee is hereby authorized to divert and use water as follows:

1. Source:
- Tributary to:
1. Nathanson Creek
- Schell Creek thence  
Schell Slough thence  
Steamboat Slough thence  
Third Napa Slough thence  
Second Napa Slough thence  
Sonoma Creek thence  
San Pablo Bay
2. Unnamed Stream
- Nathanson Creek

2. Location of point of diversion:	40-acre subdivision of public land survey or projection thereof	Section	Township	Range	Base and Meridan
<b>Diversion</b>					
1. S820 ft & E1000 ft from NW corner of Section 5	NW¼ of NW¼	5	5N	5W	MD
<b>Storage &amp; Rediversion</b>					
2. S800 ft & E750 ft from NW corner of Section 5	NW¼ of NW¼	5	5N	5W	MD

County of Sonoma

3. Purpose of use:	4. Place of use:	Section	Township	Range	Base and Meridan	Acres
Stockwatering	Los Chamizal Reservoir in NW¼ of NW¼	5	5N	5W	MD	
Frost Protection						
Heat Control						
Irrigation	NE¼ of NE¼	6	5N	5W	MD	10
	SE¼ of NE¼	6	5N	5W	MD	20
	SW¼ of NE¼	6	5N	5W	MD	15
	NW¼ of SE¼	6	5N	5W	MD	15
	NE¼ of SE¼	6	5N	5W	MD	20
	SW¼ of NW¼	5	5N	5W	MD	20
TOTAL						100

The place of use is shown on map filed with the State Water Resources Control Board.



5. THE WATER APPROPRIATED SHALL BE LIMITED TO THE QUANTITY WHICH CAN BE BENEFICIALLY USED AND SHALL NOT EXCEED 1.25 CUBIC FEET PER SECOND BY DIRECT DIVERSION TO BE DIVERTED FROM MARCH 1 TO OCTOBER 31 OF EACH YEAR AND 35 ACRE-Feet PER ANNUM BY STORAGE TO BE COLLECTED FROM OCTOBER 31 OF EACH YEAR TO MARCH 1 OF THE SUCCEEDING YEAR. THE TOTAL AMOUNT OF WATER TO BE TAKEN FROM THE SOURCE SHALL NOT EXCEED 250 ACRE-Feet PER WATER YEAR OF OCTOBER 1 TO SEPTEMBER 30.

THIS PERMIT DOES NOT AUTHORIZE COLLECTION OF WATER TO STORAGE OUTSIDE OF THE SPECIFIED SEASON TO OFFSET EVAPORATION AND SEEPAGE LOSSES OR FOR ANY OTHER PURPOSE.

THE MAXIMUM RATE OF DIVERSION TO OFFSTREAM STORAGE SHALL NOT EXCEED 1.34 CUBIC FEET PER SECOND.

(00000005)

6. THE AMOUNT AUTHORIZED FOR APPROPRIATION MAY BE REDUCED IN THE LICENSE IF INVESTIGATION WARRANTS.

(00000006)

7. COMPLETE APPLICATION OF THE WATER TO THE PROPOSED USE SHALL BE MADE ON OR BEFORE DECEMBER 1, 1981.

(00000009)

8. PROGRESS REPORTS SHALL BE SUBMITTED PROMPTLY BY PERMITTEE WHEN REQUESTED BY THE STATE WATER RESOURCES CONTROL BOARD UNTIL LICENSE IS ISSUED.

(00000010)

9. PERMITTEE SHALL ALLOW REPRESENTATIVES OF THE STATE WATER RESOURCES CONTROL BOARD AND OTHER PARTIES AS MAY BE AUTHORIZED FROM TIME TO TIME BY SAID BOARD, REASONABLE ACCESS TO PROJECT WORKS TO DETERMINE COMPLIANCE WITH THE TERMS OF THIS PERMIT.

(00000011)

10. PURSUANT TO CALIFORNIA WATER CODE SECTION 100, ALL RIGHTS AND PRIVILEGES UNDER THIS PERMIT AND UNDER ANY LICENSE ISSUED PURSUANT THERETO, INCLUDING METHOD OF DIVERSION, METHOD OF USE, AND QUANTITY OF WATER DIVERTED, ARE SUBJECT TO THE CONTINUING AUTHORITY OF THE STATE WATER RESOURCES CONTROL BOARD IN ACCORDANCE WITH LAW AND IN THE INTEREST OF THE PUBLIC WELFARE TO PREVENT WASTE, UNREASONABLE USE, UNREASONABLE METHOD OF USE, OR UNREASONABLE METHOD OF DIVERSION OF SAID WATER.

THIS CONTINUING AUTHORITY OF THE BOARD MAY BE EXERCISED BY IMPOSING SPECIFIC REQUIREMENTS OVER AND ABOVE THOSE CONTAINED IN THIS PERMIT WITH A VIEW TO MINIMIZING WASTE OF WATER AND TO MEETING THE REASONABLE WATER REQUIREMENTS OF PERMITTEE WITHOUT UNREASONABLE DRAFT ON THE SOURCE. PERMITTEE MAY BE REQUIRED TO IMPLEMENT SUCH PROGRAMS AS (1) REUSING OR RECLAIMING THE WATER ALLOCATED; (2) RESTRICTING DIVERSIONS SO AS TO ELIMINATE AGRICULTURAL TAILWATER OR TO REDUCE RETURN FLOW; (3) SUPPRESSING EVAPORATION LOSSES FROM WATER SURFACES; (4) CONTROLLING PHREATOPHYTIC GROWTH; AND (5) INSTALLING, MAINTAINING, AND OPERATING EFFICIENT WATER MEASURING DEVICES TO ASSURE COMPLIANCE WITH THE QUANTITY LIMITATIONS OF THIS PERMIT AND TO DETERMINE ACCURATELY WATER USE AS AGAINST REASONABLE WATER REQUIREMENTS FOR THE AUTHORIZED PROJECT. NO ACTION WILL BE TAKEN PURSUANT TO THIS PARAGRAPH UNLESS THE BOARD DETERMINES, AFTER NOTICE TO AFFECTED PARTIES AND OPPORTUNITY FOR HEARING, THAT SUCH SPECIFIC REQUIREMENTS ARE PHYSICALLY AND FINANCIALLY FEASIBLE AND ARE APPROPRIATE TO THE PARTICULAR SITUATION.

(00000012) replaced 3-9-88

11. THE QUANTITY OF WATER DIVERTED UNDER THIS PERMIT AND UNDER ANY LICENSE ISSUED PURSUANT THERETO IS SUBJECT TO MODIFICATION BY THE STATE WATER RESOURCES CONTROL BOARD IF, AFTER NOTICE TO THE PERMITTEE AND AN OPPORTUNITY FOR HEARING, THE BOARD FINDS THAT SUCH MODIFICATION IS NECESSARY TO MEET WATER QUALITY OBJECTIVES IN WATER QUALITY CONTROL PLANS WHICH HAVE BEEN OR HEREAFTER MAY BE ESTABLISHED OR MODIFIED PURSUANT TO DIVISION 7 OF THE WATER CODE. NO ACTION WILL BE TAKEN PURSUANT TO THIS PARAGRAPH UNLESS THE BOARD FINDS THAT (1) ADEQUATE WASTE DISCHARGE REQUIREMENTS HAVE BEEN PRESCRIBED AND ARE IN EFFECT WITH RESPECT TO ALL WASTE DISCHARGES WHICH HAVE ANY SUBSTANTIAL EFFECT UPON WATER QUALITY IN THE AREA INVOLVED, AND (2) THE WATER QUALITY OBJECTIVES CANNOT BE ACHIEVED SOLELY THROUGH THE CONTROL OF WASTE DISCHARGES.

(00000013)

12. THE STATE WATER RESOURCES CONTROL BOARD RESERVES JURISDICTION OVER THIS PERMIT TO IMPOSE ANY APPROPRIATE CONDITIONS AT SOME FUTURE DATE TO CONFORM THE PERMIT TO BOARD POLICY ON USE OF WATER FOR FROST PROTECTION. ACTION BY THE BOARD WILL BE TAKEN ONLY AFTER NOTICE TO INTERESTED PARTIES AND OPPORTUNITY FOR HEARING.

(00000020)

13. PERMITTEE SHALL NOT EXERCISE ANY OTHER EXISTING RIGHT TO THE USE OF WATER NAMED HEREIN SO LONG AS THIS PERMIT OR ANY LICENSE ISSUED PURSUANT THERETO REMAINS IN EFFECT.

(00000021)

14. PERMITTEE SHALL, WHEN REQUIRED BY THE STATE WATER RESOURCES CONTROL BOARD, INSTALL AND MAINTAIN AN OUTLET PIPE OF ADEQUATE CAPACITY IN HIS DAM AS NEAR AS PRACTICABLE TO THE BOTTOM OF THE NATURAL STREAM CHANNEL, OR PROVIDE OTHER MEANS SATISFACTORY TO THE STATE WATER RESOURCES CONTROL BOARD, IN ORDER THAT WATER ENTERING THE RESERVOIR WHICH IS NOT AUTHORIZED FOR APPROPRIATION UNDER THIS PERMIT MAY BE RELEASED. (0050044)

15. FOR THE PROTECTION OF FISH AND WILDLIFE, PERMITTEE SHALL DURING THE PERIOD:  
(A) FROM DECEMBER 1 THROUGH FEBRUARY 29 BYPASS A MINIMUM OF 7 CUBIC FEET PER SECOND;  
(B) FROM MARCH 1 THROUGH MAY 31 BYPASS A MINIMUM OF 3 CUBIC FEET PER SECOND.  
THE TOTAL STREAMFLOW SHALL BE BYPASSED WHENEVER IT IS LESS THAN THE DESIGNATED AMOUNT FOR THAT PERIOD. (014 0060)

16. NO WATER SHALL BE DIVERTED UNDER THIS PERMIT UNTIL PERMITTEE HAS INSTALLED A DEVICE, SATISFACTORY TO THE STATE WATER RESOURCES CONTROL BOARD, WHICH IS CAPABLE OF MEASURING THE FLOWS REQUIRED BY THE CONDITIONS OF THIS PERMIT. SAID MEASURING DEVICE SHALL BE PROPERLY MAINTAINED. (006 0062)

17. IN ACCORDANCE WITH SECTION 1603 AND/OR SECTION 6100 OF THE FISH AND GAME CODE, NO WATER SHALL BE DIVERTED UNDER THIS PERMIT UNTIL THE DEPARTMENT OF FISH AND GAME HAS DETERMINED THAT MEASURES NECESSARY TO PROTECT FISHLIFE HAVE BEEN INCORPORATED INTO THE PLANS AND CONSTRUCTION OF SUCH DIVERSION. THE CONSTRUCTION, OPERATION, OR MAINTENANCE COSTS OF ANY FACILITY REQUIRED PURSUANT TO THIS PROVISION SHALL BE BORNE BY THE PERMITTEE. (000 0063)

**This permit is issued and permittee takes it subject to the following provisions of the Water Code:**

Section 1390. A permit shall be effective for such time as the water actually appropriated under it is used for a useful and beneficial purpose in conformity with this division (of the Water Code), but no longer.

Section 1391. Every permit shall include the enumeration of conditions therein which in substance shall include all of the provisions of this article and the statement that any appropriator of water to whom a permit is issued takes it subject to the conditions therein expressed.

Section 1392. Every permittee, if he accepts a permit, does so under the conditions precedent that no value whatsoever in excess of the actual amount paid to the State therefor shall at any time be assigned to or claimed for any permit granted or issued under the provisions of this division (of the Water Code), or for any rights granted or acquired under the provisions of this division (of the Water Code), in respect to the regulation by any competent public authority of the services or the price of the services to be rendered by any permittee or by the holder of any rights granted or acquired under the provisions of this division (of the Water Code) or in respect to any valuation for purposes of sale to or purchase, whether through condemnation proceedings or otherwise, by the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State, of the rights and property of any permittee, or the possessor of any rights granted, issued, or acquired under the provisions of this division (of the Water Code).

Dated: AUGUST 11 1977

STATE WATER RESOURCES CONTROL BOARD

*R. L. Rounlerger*  
Chief, Division of Water Rights